

Exhibit F



ANTHONY K. BRUSTER
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December 4, 2023

Via Email to Ross.Barton@alston.com

Ross Barton
Alston & Bird LLP
1120 South Tryon Street, Suite 300
Charlotte, NC 28203

Re: CommScope – Vantiva Sales Transaction

TQ Delta, LLC v. CommScope Holding Company, Inc. et al., Civ. No. 2:21-cv-00310-JRG
(E.D. Tex.)

Dear Ross,

Based on public sources, including press releases, it appears that the CommScope Defendants (“CommScope”) will imminently close a transaction involving the sale of its Home Networks division to Vantiva SA.¹ TQ Delta is very concerned that this purported sale and its timing are substantially motivated by CommScope’s desire to avoid or limit its liability arising from the March 24, 2023 jury verdict and judgment in favor of TQ Delta (“TQ Delta Judgment”).

To address TQ Delta’s concerns, TQ Delta urges CommScope to be fully transparent concerning the CommScope-Vantiva transaction. To wit, the publicly available version of the Purchase Agreement by and between CommScope Holding Company, Inc. and Vantiva SA (“Purchase Agreement”)² does not include the Appendices and Exhibits, among which are Appendix B (Assumed Liabilities, including Assumed Pending Litigation), Appendix D (Excluded Liabilities), and Appendix F (Purchased Entities) that are particularly relevant to this inquiry. Will CommScope please promptly provide TQ Delta with all the Appendices (Appendix A through F) and Exhibits (Exhibits A through E) to the Purchase Agreement so that TQ Delta can have an understanding regarding the extent to which the TQ Delta Judgment and litigation have been disclosed and addressed by CommScope and Vantiva? If those appendices are confidential at this time, TQ Delta would be willing to treat them as confidential, consistent with the Protective Order in this matter.

Also, please confirm in writing that no aspect of the CommScope-Vantiva transaction and actions related to it will in any way jeopardize CommScope’s ability to pay the TQ Delta Judgment and that CommScope will not attempt to avoid or limit its liability under that judgment through the CommScope-Vantiva transaction or any other purported business transaction involving another party.

Please respond to this letter by Monday, December 11, 2023, or if not, please provide a time on December 11 that you can be available for a meet-and-confer call regarding TQ Delta’s intent to file a Motion for Post-Judgment Discovery where TQ Delta will ask the Court to permit it to conduct limited discovery regarding the CommScope-Vantiva transaction. TQ Delta’s preference, of course, is for CommScope to be fully transparent and provide TQ Delta with the necessary assurances such that conducting post-judgment discovery will not be required.

¹ <https://www.globenewswire.com/en/news-release/2023/11/10/2778079/0/en/Vantiva-Status-update-on-CommScope-s-Home-networks-acquisition.html>; <https://www.commscope.com/press-releases/2023/commscope-announces-plans-to-sell-home-networks-business-to-vantiva/>; <https://www.vantiva.com/app/uploads/2023/10/2023-10-03-Investor-Presentation-Vantiva.pdf> (“Late Q4 2023 Expected Closing”)

² <https://www.sec.gov/Archives/edgar/data/1517228/000119312523251555/d555685dex22.htm>

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Please also confirm that as counsel for CommScope in the CommScope-Vantiva transaction, you or your colleagues at Alston & Bird will promptly notify Vantiva of this letter and TQ Delta's concerns in your duty of full disclosure to the transaction counterparty.

Very truly yours,



Anthony K. Bruster
Attorney for TQ Delta, LLC

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